

MINUTES
SANDY CITY COUNCIL MEETING
Sandy City Hall - Council Chamber Room #211
10000 Centennial Parkway
Sandy, Utah 84070

December 5, 2006

Meeting was commenced at 7:04 p.m.

PRESENT:

Council Members: Chairwoman Linda Martinez Saville, Vice Chairman Dennis Tenney, Bryant Anderson, Scott Cowdell, Steve Fairbanks, Chris McCandless, and Stephen Smith

Mayor: Tom Dolan (Absent/Vac)

Others in Attendance: CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Economic Development Director Randy Sant; Police Chief Stephen Chapman; Assistant CAO Scott Bond; Management Analyst Korban Lee; Council Office Director Phil Glenn; Council Office Manager Naleen Wright

ABSENT/EXCUSED:

Mayor Tom Dolan (Absent/Vac)

1. OPENING REMARKS/PRAYER/PLEDGE:

The Prayer was offered by Boy Scout Arran Nichol of Troop #840, and the Pledge was led by Alex Lowry, also of Troop #840.

2. CITIZEN(S) COMMENTS:

- a. **Carol Porter**, 9242 Lorianne Way, asked for an update on the park being built as part of the gravel pit project (on the east side by the Seniors' Center). She also wanted to know the total proposed acreage that would be incorporated into the two parks.

CAO Byron Jorgenson indicated that the west side park (northwest corner of the Quarry Bend project) is being constructed this spring and summer. It will serve as both a storm water retention facility and as a park. The park on the east side of the property (nearer the amphitheater) is being graded as soil is being brought in. Contractors are donating up to 60,000 cubic yards of soil, at this west side location, for a projected savings to the City of \$315,000. It cannot be turned into a park until all of the fill dirt is brought in and graded.

Bryant Anderson commented that the eastern property would be approximately 6 acres; but, the site plan is not firmed up yet.

Chairwoman Saville explained that an update on the gravel pit area and the proposed parks and trails was provided to the Council during the earlier pre-meeting by Parks and Recreation Staff.

Byron Jorgenson took Ms. Porter out into the hall to provide a better update.

COUNCIL ITEMS:

3. REAL Salt Lake Soccer Rezoning

Ordinance #06- 36 - rezoning approximately 12.59 acres of property as follows: 7.53 acres located at approximately 9256 South State Street and 5.06 acres located at approximately 146 West 9400 South and 9180 South State Street, from the R-1-40A "Residential District" to the RC "Regional Commercial District".

DISCUSSION: Linda Martinez Saville explained to those in attendance at the meeting that each of the items listed under "Council Items" on the agenda had been previously discussed at length in other Council meetings. As a result, the Council will only be taking a final vote on each of the items numbered 3 thru 9.

MOTION: Dennis Tenney made the motion to adopt Ordinance #06- 36 - rezoning approximately 12.59 acres of property as follows: 7.53 acres located at approximately 9256 South State Street and 5.06 acres located at approximately 146 West 9400 South and 9180 South State Street, from the R-1-40A "Residential District" to the RC "Regional Commercial District".

SECOND: Chris McCandless

VOTE: Tenney- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes,
Smith- Yes, Anderson-Yes, Saville- Yes

Motion Approved: 7 in favor

4. Appointment: Sandy Planning Commission [Joseph Baker]
Resolution #06- 06M - appointing a new member to the Sandy City Planning Commission.

MOTION: Chris McCandless made the motion to provide the Council's consent to Mayoral Resolution #06- 06M - appointing Joseph Baker to the Sandy City Planning Commission.

SECOND: Bryant Anderson

VOTE: McCandless- Yes, Anderson-Yes, Tenney- Yes, Fairbanks- Yes,
Smith- Yes, Cowdell- Yes, Saville- Yes

Motion Approved: 7 in favor

5. Administrative Appeal Standards for Challenging Decisions Interpreting the City's Land Use Ordinance
Resolution #06- 98C - invoking pending ordinance doctrine pertaining to Administrative Appeal Standards for Challenging Decisions Administering or Interpreting the City Land Use Ordinance.

MOTION: Steve Fairbanks made the motion to adopt Resolution #06- 98C - invoking pending ordinance doctrine pertaining to Administrative Appeal Standards for Challenging Decisions Administering or Interpreting the City Land Use Ordinance.

SECOND: Dennis Tenney

VOTE: Fairbanks- Yes, Tenney- Yes, McCandless- Yes, Cowdell- Yes,
Smith- Yes, Anderson-Yes, Saville- Yes

Motion Approved: 7 in favor

6. Interlocal Agreement: Regarding Cost Sharing for a School District Study
Resolution #06- 96C - authorizing the execution of an Interlocal Cooperation Agreement between the cities of Cottonwood Heights, Draper, Midvale, Sandy, the Town of Alta, and Salt Lake County regarding cost sharing for a School District Study.

MOTION: Dennis Tenney made the motion to adopt Resolution #06- 96C - authorizing the execution of an Interlocal Cooperation Agreement between the cities of Cottonwood Heights, Draper, Midvale, Sandy, the Town of Alta, and Salt Lake County regarding cost sharing for a School District Study.

SECOND: Stephen Smith

VOTE: Tenney- Yes, Smith- Yes, McCandless- Yes, Cowdell- Yes, Fairbanks- Yes,
Anderson-Yes, Saville- Yes

Motion Approved: 7 in favor

7. American Legion Payment for Services/Sub for Santa [\$800.00]
Consideration of payment for contracted services rendered to Sandy City for Memorial Day and cemetery flower planting and flag arrangements by the American Legion.

MOTION: Scott Cowdell made the motion to accept the contracted services as itemized and rendered to

Sandy City for Memorial Day and cemetery flower planting by the American Legion.
SECOND: Chris McCandless
VOTE: Cowdell- Yes, McCandless- Yes, Tenney- Yes, Fairbanks- Yes,
Smith- Yes, Anderson-Yes, Saville- Yes
Motion Approved: 7 in favor

8. Funds Transfer: American Legion/Contract Memorial Day Flag Ceremony/ Planting Flowers [\$800.00]
Resolution #06- 99C - transferring funds within the General Fund.

MOTION: Steve Fairbanks made the motion to adopt Resolution #06- 99C - transferring funds [\$800.00]
within the General Fund.
SECOND: Dennis Tenney
VOTE: Fairbanks- Yes, Tenney- Yes, McCandless- Yes, Cowdell- Yes,
Smith- Yes, Anderson-Yes, Saville- Yes

Motion Approved: 7 in favor

MINUTES:

9. Approving the November 28, 2006 City Council Meeting Minutes.

MOTION: Chris McCandless made the motion to adopt the November 28, 2006 City Council Meeting
Minutes as submitted.
SECOND: Steve Fairbanks
VOTE: The Council responded verbally in the affirmative to the motion.

10. MAYOR'S REPORT:
a. Absent

11. CAO'S REPORT:

a. Provided during Planning Meeting.

12. COUNCIL OFFICE DIRECTOR'S REPORT:

a. **Phil Glenn** passed out the Council's Calendar. He referenced two memos that had been received by e-mail from Lincoln Shurtz, of the Utah League of Cities & Towns (ULCT) and provided to the Council last week. The first memo, dated November 27, 2006, concerned the possible interest of a member(s) of the City Council who may wish to sit on a small committee that will be discussing potential election law changes. It has been reported that the 30 day interval, from the primary election held in October to the final general election held the first week of November, is not enough time to process election results by the new computerized election system. The second issue to be discussed by this committee is establishing a reasonable compensation schedule, if a municipality contracts to use the County's electronic voting equipment.

Scott Cowdell said he would like to serve, and **Steve Fairbanks** stated that he has already e-mailed his desire to serve to the ULCT.

Mr. Glenn stated that he would notify the ULCT of Mr. Cowdell's and Mr. Fairbanks desire to serve.

The second memo, dated November 28, 2006, also written by Lincoln Shurtz of ULCT, was with regard to a request made by UDOT, through the ULCT, that all cities submit their lists of road priorities to UDOT in conjunction with their direct discussions with their Congressional Delegation. That way, UDOT can coordinate the States's FY08 appropriation cycle requests. Each city is being asked to submit their list to the ULCT. The ULCT will then compile the full list and submit it to UDOT in early December. It is their hope that by submitting

each city's priorities to UDOT, that UDOT will be made aware of each city's individual priorities and, "*avoid the perception of unilateralism.*"

Phil Glenn noted that Mayor Dolan has been effective and adept at working with our Congressional Delegation, who then work with other members of the House and Senate to obtain federal funding for various transportation projects for Sandy City. This has been a sore spot with UDOT and a touchy subject. He suggested that the Council may wish to wait for the Mayor to return from his vacation so his input on this request can be obtained.

Bryant Anderson commented that Sandy was not receiving the same level of funding we are now receiving, when we ran our projects directly through UDOT. Most of the money obtained through direct negotiations with our Congressional Delegation would not have been obtained the other way.

Phil Glenn clarified that UDOT is not asking us to stop going to our Congressional Delegation, but they are asking that we share information with them.

Chris McCandless stated that he was very nervous about having this discussion until the Mayor gets back. He said, "We need to share this issue with him, and not make any decisions until we do."

Steve Fairbanks said he did not have a problem communicating with UDOT. However, he noted that on at least one occasion, UDOT claimed money that Sandy had already secured and had approved for a project.

Scott Cowdell asked, "Where do we obtain the most funding, from UDOT or from our Congressional Delegation?"

Phil Glenn stated that over the past several years, most of the funding we have obtained has been from federal grants. The Mayor has been highly successful in obtaining these grants for Sandy.

Bryant Anderson commented that over the past 10 years, the City has obtained \$200 million dollars through our lobbyists for transportation related projects. Lobbyist keep track of all bills coming up before Congress. They inform the City when an opportunity might be available to obtain additional funding from Congress. We need to vie for Federal grant money the same as the people in the East do, to get our fair share.

13. OTHER COUNCIL BUSINESS:

- a. **Chris McCandless** stated that he felt there was a great need to construct a "Community Center" that could also house the Sandy Boys & Girls Club. Much has been said about finding a new location, but he believes the existing location would be the best location for a Community Center. However, we would be limited in scope and ability in the present building. The old school building that currently serves as both a Parks & Recreation building and a Boys & Girls Club, would, in his opinion, cost far too much to bring into compliance with seismic codes and up to current building codes. He felt the Council needs to start identifying ways to fund a Community Center and to build it. Mr. McCandless noted that we already have access to two recreation centers (the Alta Canyon Recreation Center at 9565 South Highland Drive, and the Salt Lake County Recreation Center on 106th South), and we need to provide a community center in this area of the City.

Scott Cowdell agreed that we need to begin this process right away. However, he felt the existing building (located at 440 East 8680 South) is "not" the place. Mr. Cowdell stated that he continues to believe that this building should be preserved for its historic value. The location at the site of the old Senior Center, in his opinion, would not be too small.

Bryant Anderson said he agreed with Mr. Cowdell's comments. He felt the best way to facilitate the construction of the proposed facility, would be to set aside funding every year so we can utilize the "pay as you go" concept. We could also work to obtain funding through grants and other private resources to add to the fund.

- b. **Steve Fairbanks** asked the Council to read the information he had provided them in their packets regarding high interest loan establishments. He would like to have the Council meet one of the owners of a check cashing/loan facility to discuss the benefits such facilities provide for the public by providing lower interest loans than most

financial institutions.

Stephen Smith stated that he and **Chris McCandless** have been involved with a committee in reviewing the present Sandy City Development Code. It is estimated that it will take at least two months, or longer, to complete the review and present the proposed changes to the code. That was the purpose of adopting the pending ordinance doctrine at a previous Council Meeting with regard to such businesses. He suggested that until the Development Code is fully updated, that we hold back on any further action/decision on such businesses. Mr. Smith stated that they will provide regular updates as pertinent changes are brought to our attention.

c. **Linda Martinez Saville** asked if the public had any questions regarding the issues raised during this meeting.

d. **Dan Church**, Scout Master for Troop #1018, asked "Who pays the lobbyists who works to obtain road money for the City?"

Scott Cowdell responded that payment comes out of the City's budget. He noted that Sandy has both State and Federal lobbyists.

Bryant Anderson stated that City representatives interviewed and investigated several companies in order to hire lobbyists who are aggressive and who can get the best results. He added that Sandy gets great funding through the money we invest.

Chris McCandless stated that the lobbyists are paid 3% of the total funding they are able to obtain for Sandy City.

e. **Douglas Doubtmier** asked how the \$200 million dollars obtained from federal funds was spent.

Byron Jorgenson stated that over the past ten years, this money has been used to build roads, bridges and trails.

At approximately 7:33 p.m., **Dennis Tenney** made a motion to adjourn Council Meeting, motion seconded by **Chris McCandless**.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Linda Martinez Saville
Council Chairwoman

Naleen Wright
Council Office Manager